

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Joseph R. Byrum *et al.*

Appln. No.: 09/206,040

Filed: December 4, 1998

For: Nucleic Acid Molecules and Other
Molecules Associated with Plants

Art Unit: 2833

Examiner: Scott D. Priebe

Atty. Docket: 04983.0151.US01/
38-21 (15446)B

RESPONSE

BOX AF
Commissioner for Patents
Washington, DC 20231

Sir:

In the specification:

On page 18, line 18, after the phrase "present within the cDNA library LIB3049/soy 55,"
herein designated LIB3049 (Monsanto Company, St. Louis, Missouri, United States of
America." please insert "The sequence set forth in SEQ ID NO:1 is the sequence of clone
LIB3049-003-Q1-E1-H7, which was deposited on August 23, 2000 with the American Type
Culture Collection, Manassas, Virginia and assigned ATCC No. PTA-2416."

REMARKS

Applicants have deposited with the American Type Culture Collection (Manassas, Virginia) DNA of the clone designated LIB3049-003-Q1-E1-H7. Applicants submit herewith a declaration by Thomas J. La Rosa stating that the biological material deposited was derived from an aliquot of clone LIB3049-003-Q1-E1-H7 that has been in his continuous custody and control at Monsanto Company from prior to the priority date of December 4, 1998 of the above-captioned application. *In re Lundak*, 227 U.S.P.Q. 90 (Fed. Cir. 1985). Support for this

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